



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

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FOR IMMEDIATE RELEASE CONTACT: Chris Hedges
304-558-8986
1-800-368-8808

**HERITAGE GROUP INC., d/b/a ELKINS MEMORIAL GARDENS,
HAS AGREED TO CEASE SELLING MAUSOLEUM CRYPTS
AND TO POST A \$100,000 BOND**

Today, Attorney General Darrell V. McGraw, Jr., announced that Heritage Group, Inc., doing business as Elkins Memorial Gardens (EMG), has voluntarily agreed to cease selling mausoleum crypts until further order of the court. In addition, EMG has agreed to post a bond before the clerk of the court with an appropriate surety of no less than \$100,000. Finally, EMG has agreed to completely construct a mausoleum with 107 crypts by November 1, 2003. If EMG fails to build the mausoleum by this date or engages in the sale of mausoleum crypts, the bond will be forfeited to the State to be used for consumer restitution.

In his lawsuit, McGraw contends that in 1996 the operators of EMG, John and Okey Phares, began selling crypts for a mausoleum they promised would be built in the very near future. Over six years have passed and construction has yet to begin.

Since 1996, several consumers have died. Instead of offering to temporarily entomb the consumers' remains in a substitute mausoleum or property which is similar in size, style, and quality as required by law, EMG's only alternative grave was in a crude concrete outbuilding. This "temporary" mausoleum is surrounded by piles of garbage, stacks of plastic burial vaults, a barn in serious disrepair, and a dilapidated pick-up truck. After seeing the temporary quarters provided by EMG, the loved ones of most of the deceased could not bear the thought of burying their relatives in such an undignified resting place. At least three consumers have died before the mausoleum could be built. One person's remains have been resting in the temporary "entombment" for nearly seven years.

Consumers wishing to file a complaint against EMG should contact Attorney General McGraw's office at 1-800-368-8808.

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